

REPORT TO THE TWENTY-NINTH LEGISLATURE
STATE OF HAWAII
2018

PURSUANT TO ACT 111 OF THE ACTS OF 2017, SLH,
AND SECTION 334 PART VIII, HAWAII REVISED STATUTES

REQUIRING THE DEPARTMENT OF HEALTH TO SUBMIT AN
ANNUAL REPORT RELATING TO PROGRESS IN IMPLEMENTING THE ADMINISTRATIVE
PROCESS ESTABLISHED BY THIS ACT,
THE DEPARTMENT'S UTILIZATION OF THE ADMINISTRATIVE PROCESS,
AND THE DEPARTMENT'S UTILIZATION OF
THE ASSISTED COMMUNITY TREATMENT PROCESS

PREPARED BY:
ADULT MENTAL HEALTH
STATE OF HAWAII
DECEMBER 2017

The Legislature of the State of Hawaii and the Governor passed and executed ACT 111 during 2017. This Act, specifically section 5, requires that:

The department of health shall report annually to the legislature on the department's progress in implementing the administrative process established by this Act, the department's utilization of the administrative process, and the department's utilization of the assisted community treatment process established pursuant to part VIII of chapter 334, Hawaii Revised Statutes.

Report

1. Progress in implementing the administrative process established by this Act.

The Department of Health (DOH) and specifically its Adult Mental Health Division (AMHD) consulted with numerous stakeholders, took into account testimony offered on the respective measures in Legislative Committee meetings, assessed comparable statutory and regulatory mechanisms from other jurisdictions, and has generated draft Hawaii Administrative Rules which are, as of this writing, substantially complete and final.

After the completion of internal review and approval through other Executive Branch agencies and the Governor's Office, we anticipate holding public hearing on these draft proposed rules during the month of February 2018.

2. The Department's utilization of the administrative process.

Since Hawaii Administrative Rules governing the administrative process have neither been promulgated nor implemented, there has been, as of the date of this report, no utilization of the administrative process.

3. The Department's utilization of the assisted community treatment process established pursuant to part VIII of chapter 334, Hawaii Revised Statutes.

There were two petitions filed pursuant to section 334-123, HRS, (Assisted Community Treatment) during the period which this report covers.